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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/840,011	05/06/2004	Joseph A. Carbonaro	CARBONARO I	9634
50525 7590 11/29/2007 DUFT BORNSSEN & FISHMAN, LLP 1526 SPRUCE STREET SUITE 302 BOULDER, CO 80302			EXAMINER AU, GARY	
			ART UNIT 2617	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/840,011	Applicant(s) CARBONARO, JOSEPH A.	
	Examiner Gary Au	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2007.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-10 and 12-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application No. 2004/0235518 Beyette et al. (Beyette) and further in view of US Patent Application No. 2003/0157929 Janssen et al. (Janssen).

As to claims 1 and 12, Beyette teaches a communication system and method (figure 3, [0029] and [0030]) that enables remote devices of said system to make and receive calls over a wireless network using a cell phone ([0020]), coupled in series signal-wise between said wireless network and said remote land-line station devices ([0020]), said system comprising: a cell phone base unit coupled To a first interface (cell phone CP and cell interface module CIM – figure 1 and 3, [0020]); said cell phone base unit is adapted to be coupled signal-wise to said cell phone ([0020]); a plurality of remote interfaces (cell interface module CIM and landline interface module LIM – figure

1 and 3, [0020]); each said remote land-line station device being individual to and coupled to a different one of said remote interfaces (landline phone LP and landline interface module LIM – figure 1 and 3, [0020]); and apparatus responsive to the receipt of an incoming call from said wireless network for extending said incoming call via said cell phone and said first interface of said cell phone base unit to one of said remote land-line station devices via the remote interface individual to said one remote land-line station device ([0020] and [0022]). However, Beyette fails to disclose the interface is a wireless interface and the network is a wireless network.

In an analogous art, Janssen teaches the interface is a wireless interface (cordless base unit 100 – figure 2, [0027]) and the network is a wireless network (local wireless communications link 215 – figure 2, [0031]).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Beyette's system to include the interface is a wireless interface and the network is a wireless network, as taught by Janssen, for the advantage of using cellular telephone service to replace altogether traditional wired telephone service in the home or office ([0005]).

As to claim 8, Beyette teaches in a system having a first interface (cell interface module CIM – figure 1 and 3, [0020]) adapted to be coupled to a cell phone (cell phone CP – figure 1 and 3, [0020]), said system further having a plurality of remote interfaces each of which is adapted to be individual to and coupled to an individual one of a plurality of remote land-line telephones (landline phone LP and landline interface

module LIM – figure 1 and 3, [0020]); said system further comprising: apparatus for receiving indicia of a call request by either said first interface or by one of said remote interfaces ([0020]); and apparatus that extends said call request to the other of said first interface or said one remote interface to establish a call connection between said cell-phone and one of said remote land telephones via said first interface and via the one of said remote interface individual to said one remote land telephone ([0020]). However, Beyette fails to disclose the interface is a wireless interface and the network is a wireless network.

In an analogous art, Janssen teaches the interface is a wireless interface (cordless base unit 100 – figure 2, [0027]) and the network is a wireless network (local wireless communications link 215 – figure 2, [0031]).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Beyette's system to include the interface is a wireless interface and the network is a wireless network, as taught by Janssen, for the advantage of using cellular telephone service to replace altogether traditional wired telephone service in the home or office ([0005]).

As to claims 2 and 13, Beyette teaches apparatus that monitors said incoming call ([0022]); and apparatus that detects an on-hook signal at said one remote land-line station device for terminating said call (step 136 – figure 2, [0024]).

As to claims 3 and 14, Beyette teaches apparatus responsive to the initiation of an outgoing call by a calling one or said remote land-line station devices for extending said outgoing call via the one of said remote interfaces unique to said calling remote land-line station device and via said first interface of said cell phone base and via said cell phone to a called station served by said remote network ([0026]). However, Beyette fails to disclose the interface is a wireless interface and the network is a wireless network.

In an analogous art, Janssen teaches the interface is a wireless interface (cordless base unit 100 – figure 2, [0027]) and the network is a wireless network (local wireless communications link 215 – figure 2, [0031]).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Beyette's system to include the interface is a wireless interface and the network is a wireless network, as taught by Janssen, for the advantage of using cellular telephone service to replace altogether traditional wired telephone service in the home or office ([0005]).

As to claims 4 and 15, Beyette teaches that each said remote land-line station device comprises any one of or any combination of: land-line telephones (landline phone – figure 3, [0020]); fax machines ([0025]).

As to claims 5, and 16-18, Beyette teaches apparatus that detects an off-hook state of a calling one of said remote land-line telephones ([0026]-[0030]); apparatus that

transmits said off-hook signal from said calling remote land-line telephone to said cell phone ([0026]-[0030]); apparatus that activates said cell phone in response to the receipt of said off-hook signal ([0026]-[0030]); apparatus including said remote wireless interface associated with said calling remote land-line telephone for transmitting said called station number to said cell phone ([0026]-[0030]); said cell phone being responsive to the receipt of said called station number for initiating the establishment of a call via said wireless network to said called station ([0026]-[0030]); apparatus for detecting an on-hook state of said called station or of said calling remote land-line telephone for transmitting a call end signal to said cell phone ([0026]-[0030]); and said cell phone being responsive to said receipt of said call end signal for ending said call ([0026]-[0030]).

As to claims 6 and 19, Beyette teaches apparatus including said cell phone for detecting the receipt of an incoming call from said wireless network ([0026]-[0030]); apparatus including said cell phone responsive to said detecting for applying a ringing control signal to said first interface associated with said cell phone base ([0026]-[0030]); apparatus for transmitting said ringing control signal to remote wireless interfaces individual to each of said remote land-line telephones; apparatus responsive to the receipt of said ringing control signal for applying ringing current to said land-line telephones ([0026]-[0030]); apparatus for generating an off-hook signal at a responsive one of remote land-line telephones ([0026]-[0030]); said off-hook signal is transmitted to said cell phone via said remote wireless interface individual to said responsive to the

receipt of said off-hook signal for terminating the generation of said ringing control signal ([0026]-[0030]); said remote interface being responsive to the termination of said ringing control signal for termination ringing at said remote land-line telephones ([0026]-[0030]); said cell phone being effective to monitor said incoming call ([0026]-[0030]); apparatus for detecting an on-hook state of said calling station of said network or an off hook signal of said responsive remote land-line telephone for transmitting a call end signal to said cell phone ([0026]-[0030]); and said cell phone being responsive to said receipt of said call end signal for ending said incoming call ([0026]-[0030]). However, Beyette fails to disclose the interface is a wireless interface and the network is a wireless network.

In an analogous art, Janssen teaches the interface is a wireless interface (cordless base unit 100 – figure 2, [0027]) and the network is a wireless network (local wireless communications link 215 – figure 2, [0031]).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Beyette's system to include the interface is a wireless interface and the network is a wireless network, as taught by Janssen, for the advantage of using cellular telephone service to replace altogether traditional wired telephone service in the home or office ([0005]).

As to claims 7 and 20, Beyette teaches said cell phone is adapted to serve calls between said wireless network and said remote land-line telephones only when said cell phone is connected signal-wise to said base unit ([0020]).

As to claim 9, Beyette teaches said apparatus for receiving is operable to receive said indicia via said first interface from said cell phone and to extend said call via one of said remote interface to one of said remote land-line telephones ([0026]); and said apparatus for receiving is also operable to receive said indicia via one of said remote interfaces from one of said remote land-line telephones and to extend said call connection via said first interface to said cell phone ([0026]). However, Beyette fails to disclose the interface is a wireless interface and the network is a wireless network.

In an analogous art, Janssen teaches the interface is a wireless interface (cordless base unit 100 – figure 2, [0027]) and the network is a wireless network (local wireless communications link 215 – figure 2, [0031]).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Beyette's system to include the interface is a wireless interface and the network is a wireless network, as taught by Janssen, for the advantage of using cellular telephone service to replace altogether traditional wired telephone service in the home or office ([0005]).

As to claim 10, Beyette teaches at least one of said remote wireless interfaces is integrated into the one of said remote land-line telephones ([0020]).

4. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application No. 2004/0235518 Beyette et al. (Beyette) and US Patent Application

No. 2003/0157929 Janssen et al. (Janssen) as applied to claim 8 above, and further in view of US Patent No. 6,775,522 Schornack et al. (Schornack).

As to claim 11, the combined system of Beyette and Janssen teaches the system as described above. However, the combined system fails to teach a pair of tip and ring conductors.

In an analogous art, Schornack teaches a pair of tip and ring conductors (figure 2, col. 3 lines 62-66).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the combined system of Beyette and Janssen to include a pair of tip and ring conductors, as taught by Schornack, for the advantage of adapting to a standard.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary Au whose telephone number is (571) 272-2822. The examiner can normally be reached on 8am-5pm Monday to Friday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rafael Perez-Gutierrez can be reached on (571) 272-7915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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11/26/07